



Brian Schweitzer, Governor

P. O. Box 200901

Helena, MT 59620-0901

(406) 444-2544

Website: www.deq.mt.gov

December 23, 2008

Tracy Hodik
Century Construction Company, Inc.
P.O. Box 739
Lewistown, MT 59457

Dear Ms. Hodik:

The Department of Environmental Quality (Department) has made its decision on the Montana Air Quality Permit application for an asphalt batch plant. The application was given permit number 3008-02. The Department's decision may be appealed to the Board of Environmental Review (Board). A request for hearing must be filed by January 7, 2009. This permit shall become final on January 8, 2009, unless the Board orders a stay on the permit.

Procedures for Appeal: Any person jointly or severally adversely affected by the final action may request a hearing before the Board. Any appeal must be filed before the final date stated above. The request for a hearing shall contain an affidavit setting forth the grounds for the request. Any hearing will be held under the provisions of the Montana Administrative Procedures Act. Submit requests for a hearing in triplicate to: Chairman, Board of Environmental Review, P.O. Box 200901, Helena, Montana 59620.

Conditions: See attached.

For the Department,

Vickie Walsh
Air Permitting Program Supervisor
Air Resources Management Bureau
(406) 444-3490

Trista Glazier
Air Quality Specialist
Air Resources Management Bureau
(406) 444-3403

VW:TG
Enclosure

MONTANA AIR QUALITY PERMIT

Issued To: Century Companies, Inc.
P.O. Box 579
Lewistown, MT 59457

Permit #3008-02
Application Complete: 10/9/08
Preliminary Determination Issued: 11/18/08
Department's Decision Issued: 12/23/08
Permit Final:
AFS #777-3008

An air quality permit, with conditions, is hereby granted to Century Companies, Inc. (Century) pursuant to Sections 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and the Administrative Rules of Montana (ARM) 17.8.740, *et seq.*, as amended, for the following:

Section I: Permitted Facilities

A. Plant Location

The original location of the permitted facility is the SW¼, SE¼ of Section 17, Township 15 North, Range 18 East, in Fergus County, Montana. Century operates the portable drum mix asphalt plant at various locations throughout Montana. Permit #3008-02 applies while operating at any location within Montana, except within those areas having a Department of Environmental Quality (Department) approved permitting program. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* A list of the permitted equipment can be found in the permit analysis.

B. Current Permit Action

On September 30, 2008, Century submitted a request include the horsepower (hp) rating of the diesel-powered engine/generators in Permit #3008-01. The current permit action adds a 45 hp engine/generator to the list of permitted equipment and changes the rating of the 500 kilowatt (kW) engine/generator to 750 hp. The current permit action also updates the emission inventory to reflect these changes as well as the most current emission factor data.

Section II: Conditions and Limitations

A. Emission Limitations

1. Asphalt plant particulate matter emissions shall be limited to 0.04 grains per dry standard cubic feet (gr/dscf) (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart I).
2. Century shall not cause or authorize to be discharged into the atmosphere from any sources or stacks that exhibit 20% opacity or greater averaged over 6 consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart I).
3. Century shall not cause or authorize to be discharged into the atmosphere from systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler; systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems, any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart I).

4. Century shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308 and ARM 17.8.752).
5. Century shall treat all unpaved portions of the haul roads, access roads, parking lots, or the general plant area with water and/or chemical dust suppressant, as necessary, to maintain compliance with the reasonable precautions limitation in Section II.A.4. (ARM 17.8.749 and ARM 17.8.752).
6. A baghouse for air pollution control, with a device to measure the pressure drop (magnehelic gauge, manometer, etc.), must be installed and maintained. Pressure drop must be measured in inches of water. Temperature indicators at the control device inlet and outlet must be installed and maintained (ARM 17.8.749 and ARM 17.8.752).
7. Once a stack test is performed, the asphalt production rate shall be limited to the average production rate during the last source test demonstrating compliance (ARM 17.8.749).
8. Century shall only use natural gas (propane) to fire the hot mix dryer (ARM 17.8.749).
9. Asphalt plant production shall not exceed 952,000 tons during any rolling 12-month time period (ARM 17.8.749).
10. Century shall not operate more than two diesel-powered engine/generator at any given time and the maximum rated capacity shall not exceed 795 hp (ARM 17.8.749).
11. The hours of operation of the asphalt plant and associated equipment (including diesel-powered engines/generators) shall not exceed 5,950 hours during any rolling 12-month time period (ARM 17.8.1204).
12. If the permitted equipment is used in conjunction with any other equipment owned or operated by Century, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons during any rolling 12-month period. Any calculation used to establish production levels shall be approved by the Department (ARM 17.8.749).
12. Century shall comply with all applicable standards and limitations, and the reporting, recordkeeping, and notification requirements contained in 40 CFR Part 60, Subpart I, for the asphalt plant (ARM 17.8.340 and 40 CFR 60, Subpart I).

B. Testing Requirements

1. Within 60 days after achieving the maximum production rate, but not later than 180 days after initial start up, an Environmental Protection Agency (EPA) Methods 1-5 source test shall be performed on the asphalt plant to demonstrate compliance with Section II.A.1. and an EPA Method 9 opacity test shall be performed in conjunction with all particulate tests to demonstrate compliance with the conditions specified in Sections II.A.2. and II.A.3. The plant was last tested August 2002, testing shall continue on an every-four-year basis or according to another testing/monitoring schedule as may be approved by the Department (ARM 17.8.105 and ARM 17.8.749).

2. Pressure drop on the control device and temperature must be recorded daily and kept on site according to Section II.C.4. (ARM 17.8.749).
3. Pressure drop on the control device and temperatures must be recorded during the compliance source test and reported as part of the test results (ARM 17.8.749).
4. Since asphalt production will be limited to the average production rate during the compliance source test, it is suggested the test be performed at the highest production rate practical (ARM 17.8.749).
5. Century may retest at any time in order to test at a higher production rate (ARM 17.8.749).
6. All compliance source tests must be conducted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
7. The Department may require further testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. If this asphalt plant is moved to another location, an Intent to Transfer Form must be sent to the Department. In addition, a Public Notice Form for Change of Location must be published in a newspaper of general circulation in the area where the transfer is to be made, at least 15 days prior to the move. The Intent to Transfer Form and the proof of publication (affidavit) of the Public Notice Form for Change of Location must be submitted to the Department prior to the move. These forms are available from the Department upon request (ARM 17.8.765).
2. Century shall supply the Department with annual production information for all emission points, as required by the Department in the annual emission inventory request. The request will include, but is not limited to, all sources of emissions identified in the emission inventory contained in the permit analysis.

Production information shall be gathered on a calendar-year basis and submitted to the Department by the date required in the emission inventory request. Information shall be in the units required by the Department. This information may be used for calculating operating fees, based on actual emissions from the facility, and/or to verify compliance with permit limitations (ARM 17.8.505).

3. Century shall notify the Department of any construction or improvement project conducted pursuant to ARM 17.8.745, that would include ***the addition of a new emissions unit***, a change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emission unit.

This notice must be submitted to the Department, in writing, 10 days prior to start up or use of the proposed de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.745 (1)(d) (ARM 17.8.745).

4. Century shall maintain on-site records showing daily hours of operation, daily production rates, and daily pressure drop and temperature readings for the last 12

months. The records compiled in accordance with this permit shall be maintained by Century as a permanent business record for at least 5 years following the date of the measurement, must be available at the plant for inspection by the Department, and must be submitted to the Department upon request (ARM 17.8.749).

5. Century shall document, by month, the asphalt production of the facility. By the 25th day of each month, Century shall total the asphalt production of the facility for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.9. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).
6. Century shall document, by month, the hours of operation of the diesel-powered engine/generator. By the 25th day of each month, Century shall total the hours of operation of the diesel-powered engine/generator for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.10. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).
7. Century shall annually certify that its emissions are less than those that would require the facility to obtain an air quality operating permit as required by ARM 17.8.1204(3)(b). The annual certification shall comply with the certification requirements of ARM 17.8.1207. The annual certification shall be submitted along with the annual emissions inventory information.

Section III: General Conditions

- A. Inspection – Century shall allow the Department's representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment (CEMS, CERMS) or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.
- B. Waiver – The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if Century fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations – Nothing in this permit shall be construed as relieving Century of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided for in ARM 17.8.740, *et seq.* (ARM 17.8.756)
- D. Enforcement – Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties or other enforcement as specified in Section 75-2-401, *et seq.*, MCA.
- E. Appeals – Any person or persons jointly or severally adversely affected by the Department's decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The filing of a request for a hearing does not stay the Department's decision, unless the Board issues a stay upon receipt of a petition and a finding that a stay is appropriate under Section 75-2-211(11)(b), MCA. The issuance of a stay on a permit by the Board postpones the effective date of the Department's decision until conclusion of the hearing and issuance of a final decision by the Board. If a

stay is not issued by the Board, the Department's decision on the application is final 16 days after the Department's decision is made.

- F. Permit Inspection – As required by ARM 17.8.755, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by Department personnel at the location of the permitted source.
- G. Permit Fee – Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, failure to pay the annual operation fee by Century may be grounds for revocation of this permit, as required by that section and rules adopted thereunder by the Board.
- H. Construction Commencement – Construction must begin within 3 years of permit issuance and proceed with due diligence until the project is complete or the permit shall be revoked (ARM 17.8.762).
- I. The Department may modify the conditions of this permit based on local conditions of any future site. These factors may include, but are not limited to, local terrain, meteorological conditions, proximity to residences, etc.
- J. Century shall comply with the conditions contained in this permit while operating in any location in Montana, except within those areas that have a Department-approved permitting program or areas considered tribal lands.

Permit Analysis
Century Companies Inc.
Permit #3008-02

I. Introduction/Process Description

A. Permitted Equipment

Century Companies, Inc. (Century) owns and operates a portable asphalt plant (maximum capacity 160-tons per hour (TPH)). Equipment used at the facility includes, but is not limited to the following:

1. (1) 1998 160-TPH Asphalt Drum Mixers, Inc. (ADM) drum mix asphalt plant with baghouse (fired on propane)
2. (1) 7.3-gallon per hour (gal/hr) asphalt heater (fired on diesel)
3. (1) 45 horsepower (hp) diesel-powered engine/generator
4. (1) 750 hp diesel-powered engine/generator
5. Associated equipment (elevator, screens, bins, mixer, conveyors, etc.)

B. Source Description

For a typical operational set-up, stockpiled aggregate is loaded into the 4-bin cold feeder. The aggregate is dispensed from the bins, screened, and dumped onto slow moving feeder conveyors that transfer the aggregate to the drum mix dryer. The aggregate travels through the rotating drum where asphalt oil is added to the dryer. The dryer drum mixes the asphalt oil and the aggregate. The resulting hot-mix asphalt is loaded into a hot mix asphalt storage silo where it is stored until the asphalt is dumped into trucks for transport to the project site.

C. Permit History

On April 14, 1998, Northern Line Layers, Inc. (Northern) submitted a complete permit application to operate a portable 1998 Asphalt Drum Mixers, Inc. model RB160 drum mix asphalt plant, (maximum production rate of 160 TPH), a 450-kW diesel generator, and associated equipment. The facility operated at various locations throughout the state of Montana. The original location of the equipment was Section 29, Township 29 North, Range 39 East, in Valley County Montana. **Permit #3008-00** became final June 17, 2002.

On May 14, 2003, Century submitted a complete air quality permit application to the Department of Environmental Quality (Department) to change ownership of Permit #3008-01 from Northern Line Layers, Inc. to Century and to change the portable generator from a 450-kW to a 500-kW diesel generator. The new equipment will provide power for the asphalt plant, conveyors, and associated equipment. The permit action changed ownership of Permit #3008-01 to Century, changed the generator, and updated the permit to reflect current permit language and rule references used by the Department. **Permit #3008-01** replaced Permit #3008-00.

D. Current Permit Action

On September 30, 2008, Century submitted a request include the hp rating of the diesel-powered engine/generators in Permit #3008-01. The current permit action adds a 45 hp engine/generator to the list of permitted equipment and includes the hp rating of the engines/generators. **Permit #3008-02** replaces Permit #3008-01.

E. Additional Information

Additional information, such as applicable rules and regulations, Best Available Control Technology (BACT)/Reasonably Available Control Technology (RACT) determinations, air quality impacts, and environmental assessments, is included in the analysis associated with each change to the permit.

II. Applicable Rules and Regulations

The following are partial explanations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available, upon request, from the Department. Upon request, the Department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

A. ARM 17.8, Subchapter 1 – General Provisions, including, but not limited to:

1. ARM 17.8.101 Definitions. This rule includes a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.105 Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment, (including instruments and sensing devices) and shall conduct tests, emission or ambient, for such periods of time as may be necessary using methods approved by the Department.
3. ARM 17.8.106 Source Testing Protocol. The requirements of this rule apply to any emission source testing conducted by the Department, any source, or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq.*, Montana Code Annotated (MCA).

Century shall comply with the requirements contained in the Montana Source Test Protocol and Procedures Manual, including, but not limited to, using the proper test methods and supplying the required reports. A copy of the Montana Source Test Protocol and Procedures Manual is available from the Department upon request.

4. ARM 17.8.110 Malfunctions. (2) The Department must be notified promptly by telephone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation or to continue for a period greater than 4 hours.

5. ARM 17.8.111 Circumvention. (1) No person shall cause or permit the installation or use of any device or any means that, without resulting in reduction of the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner as to create a public nuisance.

B. ARM 17.8, Subchapter 2 – Ambient Air Quality, including, but not limited to:

1. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
2. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
3. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
4. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
5. ARM 17.8.223 Ambient Air Quality Standard for PM₁₀

Century must maintain compliance with the applicable ambient air quality standards.

C. ARM 17.8, Subchapter 3 – Emission Standards, including, but not limited to:

1. ARM 17.8.304 Visible Air Contaminants. This rule requires that no person may cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes.
2. ARM 17.8.308 Particulate Matter, Airborne. (1) This rule requires an opacity limitation of 20% for all fugitive emission sources and that reasonable precautions be taken to control emissions of airborne particulate matter. (2) Under this rule, Century shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.
3. ARM 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this section.
4. ARM 17.8.310 Particulate Matter, Industrial Process. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter in excess of the amount set forth in this section.
5. ARM 17.8.322 Sulfur Oxide Emissions--Sulfur in Fuel. (5) Commencing July 1, 1971, no person shall burn any gaseous fuel containing sulfur compounds in excess of 50 grains per 100 cubic feet of gaseous fuel, calculated as hydrogen sulfide at standard conditions.
6. ARM 17.8.340 Standard of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR Part 60, Standards of Performance for New Stationary Sources (NSPS). This facility is an NSPS affected facility under 40 CFR Part 60, Subpart I (Standards of Performance for Hot Mix Asphalt Facilities), because the facility was constructed after June 11, 1973; therefore, the facility is subject to the requirements of 40 CFR Part 60, Subpart I.

D. ARM 17.8, Subchapter 5 – Air Quality Permit Application, Operation and Open Burning Fees, including, but not limited to:

1. ARM 17.8.504 Air Quality Permit Application Fees. This rule requires that an applicant submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. However, in this case, the Department waived the permit application fee because the Department requested that the facility update their equipment specifications of previously permitted equipment (that changed overall facility emissions) and modify their permit.
2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department; the air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions that pro-rate the required fee amount.

E. ARM 17.8, Subchapter 7 – Permit, Construction and Operation of Air Contaminant Sources, including, but not limited to:

1. ARM 17.8.740 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.743 Montana Air Quality Permits--When Required. This rule requires a facility to obtain an air quality permit or permit alteration if they construct, alter or use any asphalt plant, crusher or screen that has the potential to emit greater than 15 tons per year of any pollutant. Century has the potential to emit more than 15 tons per year of particulate matter (PM), particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀), nitrogen oxides (NO_x), carbon monoxide (CO), and volatile organic compounds (VOC); therefore, an air quality permit is required.
3. ARM 17.8.744 Montana Air Quality Permits--General Exclusions. This rule identifies the activities that are not subject to the Montana Air Quality Permit program.
4. ARM 17.8.745 Montana Air Quality Permit--Exclusion for De Minimis Changes. This rule identifies the de minimis changes at permitted facilities that are not subject to the Montana Air Quality Permit Program.
5. ARM 17.8.748 New or Modified Emitting Units--Permit Application Requirements. This rule requires that a permit application be submitted prior to installation, alteration or use of a source. Century submitted the required permit application for the current permit action. (7) This rule requires that the applicant

notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. Century submitted an affidavit of publication of public notice for the October 6, 2008, issue of the *Miles City Star*, a newspaper of general circulation in the Town of Miles City in Custer County, as proof of compliance with the public notice requirements.

6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.
7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be utilized. The required BACT analysis is included in Section III of this permit analysis.
8. ARM 17.8.755 Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the Department at the location of the source.
9. ARM 17.8.756 Compliance with Other Requirements. This rule states that nothing in the permit shall be construed as relieving Century of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.*
10. ARM 17.8.759 Review of Permit Applications. This rule describes the Department's responsibilities for processing permit applications and making permit decisions on those permit applications that do not require the preparation of an environmental impact statement.
11. ARM 17.8.762 Duration of Permit. An air quality permit shall be valid until revoked or modified, as provided in this subchapter, except that a permit issued prior to construction of a new or altered source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than 1 year after the permit is issued.
12. ARM 17.8.763 Revocation of Permit. An air quality permit may be revoked upon written request of the permittee, or for violations of any requirement of the Clean Air Act of Montana, rules adopted under the Clean Air Act of Montana, the FCAA, rules adopted under the FCAA, or any applicable requirement contained in the Montana State Implementation Plan (SIP).
13. ARM 17.8.764 Administrative Amendment to Permit. An air quality permit may be amended for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase of emissions as a result of those changed conditions. A source may not increase its emissions beyond those found in its permit unless the source applies for and receives another permit.

14. ARM 17.8.765 Transfer of Permit. (1) This rule states that an air quality permit may be transferred from one location to another if the Department receives a complete notice of Intent to Transfer location, the facility will operate in the new location for less than 1 year, the facility will comply with the FCAA and the Clean Air Act of Montana, and the facility complies with other applicable rules. (2) This rule states that an air quality permit may be transferred from one person to another if written notice of Intent to Transfer, including the names of the transferor and the transferee, is sent to the Department.

F. ARM 17.8, Subchapter 8 – Prevention of Significant Deterioration of Air Quality, including, but not limited to:

1. ARM 17.8.801 Definitions. This rule is a list of applicable definitions used in this subchapter.
2. ARM 17.8.818 Review of Major Stationary Sources and Major Modification--Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the Federal Clean Air Act (FCAA) that it would emit, except as this subchapter would otherwise allow.

This facility is not a major stationary source since it is not a listed source and the facility's potential to emit (PTE) is less than 250 tons per year of any pollutant (excluding fugitive emissions).

G. ARM 17.8, Subchapter 12 – Operating Permit Program Applicability, including, but not limited to:

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any stationary source having:
 - a. PTE > 100 tons/year of any pollutant;
 - b. PTE > 10 tons/year of any one Hazardous Air Pollutant (HAP), PTE > 25 tons/year of a combination of all HAPs, or lesser quantity as the Department may establish by rule; or
 - c. PTE > 70 tons/year of PM₁₀ in a serious PM₁₀ nonattainment area.
2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. (1) Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204 (1), obtain a Title V Operating Permit. In reviewing and issuing Air Quality Permit #3008-02 for Century, the following conclusions were made:
 - a. The facility's PTE is less than 100 tons/year for any pollutant.
 - b. The facility's PTE is less than 10 tons/year for any one HAP and less than 25 tons/year of all HAPs.
 - c. This source is not located in a serious PM₁₀ nonattainment area.
 - d. This facility is subject to a current NSPS (40 CFR 60, Subpart I).

- e. This facility is not subject to any current NESHAP standards.
- f. This source is not a Title IV affected source nor a solid waste combustion unit.
- g. This source is not an EPA designated Title V source.

Century's Permit #3008-02 includes a federally enforceable limit that allows the facility to stay below the Title V operating permit threshold. Therefore, the facility will not be required to obtain a Title V operating permit.

- h. ARM 17.8.1204(3). The Department may exempt a source from the requirement to obtain an air quality, operating permit by establishing federally enforceable limitations, which limit that source's potential to emit.
 - i. In applying for an exemption under this section, the owner or operator of the source shall certify to the Department that the source's potential to emit does not require the source to obtain an air quality, operating permit.
 - ii. Any source that obtains a federally enforceable limit on potential to emit shall annually certify that its actual emissions are less than those that would require the source to obtain an air quality operating permit.

The Department determined that the annual reporting requirements contained in the permit are sufficient to satisfy this requirement.

3. ARM 17.8.1207 Certification of Truth, Accuracy, and Completeness. The compliance certification submittal required by ARM 17.8.1204(3) shall contain certification by a responsible official of truth, accuracy, and completeness. This certification, and any other certification required under this subchapter, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

III. Emission Inventory

Source	Ton/Year					
	PM	PM ₁₀	NO _x	VOC	CO	SO _x
Drum Mix Asphalt Plant Dryer	35.46	10.95	26.18	61.88	15.23	27.61
Hot Oil Heater	0.00	0.00	0.00	0.00	0.00	0.00
Drum Mix Plant Load-Out	0.25	0.16	0.00	0.64	1.98	0.00
Asphalt Product Silo Filling	0.28	0.12	0.00	0.56	5.80	0.00
Cold Aggregate Screens and Storage Bins	10.28	6.28	0.00	0.00	0.00	0.00
Cold Aggregate Handling/Conveyors	8.57	3.14	0.00	0.00	0.00	0.00
Cold Aggregate Storage Piles	4.73	2.24	0.00	0.00	0.00	0.00
Diesel Generator (up to 750 hp)	4.91	4.91	69.17	14.90	5.51	4.57
Diesel Generator (up to 45 hp)	0.29	0.29	4.15	0.89	0.33	0.27
Haul Roads/Vehicle Traffic	8.61	2.45	0.00	0.00	0.00	0.00
Total	73.38	30.55	99.50	78.88	28.86	32.46

Operating Parameters:

Operating Hours:	5950	hr/yr	
Plant Elevation	3000	ft.	Department Information
Actual Pressure	26.8	in. Hg	Department Information
Standard Pressure	29.92	in. Hg	
Flowrate	54,930	acfm	(Company Information)
Std. Temp:	25 C	77 F	537 R
Assumed Stack Temp.	149 C	300 F	760 R
Correction Equation:	$V_1 = V_2 (P_2/P_1) (T_1/T_2)$		
Corr. Flowrate	54930.4 acfm * (26.8 in. Hg / 29.92 in. Hg) * (537 R / 760 R) =		
Process Rate:	160 ton/hr	(Company Information)	

Drum Mix Asphalt Plant Dryer**PM Emissions**

Emission Factor:	0.04 gr/dscf	(permit limit)
Calculations:	$0.04 \text{ gr/dscf} * 34765 \text{ dscfm} * 1 \text{ lb/7000 gr} * 60 \text{ m/hr} = 11.92 \text{ lb/hr}$ $11.9195500478469 \text{ lb/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 35.46 \text{ ton/yr}$	

PM10 Emissions

Emission Factor:	0.023 lb/ton	(AP-42, Section 11.1, Table 11.1-3, Drum Mix, Fabric Filter Control, 3/04)
Calculations:	$0.023 \text{ lb/ton} * 160 \text{ ton/hr} = 3.68 \text{ lb/hr}$ $3.68 \text{ lb/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 10.95 \text{ ton/yr}$	

NOx Emissions

Emission Factor:	0.055 lb/ton	(AP-42, Section 11.1, Table 11.1-7, Drum Mix, worst-case fuel excluding coal, 3/04)
Calculations:	$0.055 \text{ lb/ton} * 160 \text{ ton/hr} = 8.80 \text{ lb/hr}$ $8.8 \text{ lb/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 26.18 \text{ ton/yr}$	

CO Emissions

Emission Factor:	0.13 lb/ton	(AP-42, Section 11.1, Table 11.1-7, Drum Mix, worst-case fuel excluding coal, 3/04)
Calculations:	$0.13 \text{ lb/ton} * 160 \text{ ton/hr} = 20.80 \text{ lb/hr}$ $20.8 \text{ lb/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 61.88 \text{ ton/yr}$	

VOC Emissions

Emission Factor:	0.032 lb/ton	(AP-42, Section 11.1, Table 11.1-8, worst-case fuel, 3/04)
Calculations:	$0.032 \text{ lb/ton} * 160 \text{ ton/hr} = 5.12 \text{ lb/hr}$ $5.12 \text{ lb/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 15.23 \text{ ton/yr}$	

SOx Emissions

Emission Factor:	0.058 lb/ton	(AP-42, Section 11.1, Table 11.1-7, Drum Mix, worst-case fuel excluding coal, 3/04)
Calculations:	$0.058 \text{ lb/ton} * 160 \text{ ton/hr} = 9.28 \text{ lb/hr}$ $9.28 \text{ lb/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 27.61 \text{ ton/yr}$	

Hot Oil Heater (Diesel per applicant)

Diesel Fuel Consumption:	7.3 gal/hr	(Company Information)
Operating Hours:	5950 hr/yr	(Annual Capacity)
Calculation:	$7.3 \text{ gal/hr} / 5950 \text{ hr/yr} = 0.0012 \text{ gal/yr}$	

CO Emissions

Emission Factor:	0.0012 lb/gal	(AP-42, Section 11.1, Table 11.1-13, 3/04)
Calculations:	$0.0012 \text{ gal/yr} * 0.0012 \text{ lb/gal} * 0.0005 \text{ ton/lb} = 0.0000 \text{ ton/yr}$	

Drum Mix Plant Load-Out

Process Rate: 160 ton/hr (Company Information)

Hours of Operation: 5950 hr/yr (Annual Capacity)

PM Emissions

Emission Factor: 0.00052 lb/ton (AP-42, Section 11.1, Table 11.1-14, 3/04,
see predictive equation at end of Inventory)

Calculations: $0.00052 \text{ lb/ton} * 160 \text{ ton/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} =$

PM10 Emissions

Emission Factor: 0.00034 lb/ton (AP-42, Section 11.1, Table 11.1-14, 3/04,
see predictive equation at end of Inventory)

Calculations: $0.00034 \text{ lb/ton} * 160 \text{ ton/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 0.16 \text{ ton/yr}$

CO Emissions

Emission Factor: 0.00135 lb/ton (AP-42, Section 11.1, Table 11.1-14, 3/04,
see predictive equation at end of Inventory)

Calculations: $0.00135 \text{ lb/ton} * 160 \text{ ton/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 0.64 \text{ ton/yr}$

VOC Emissions (VOC = TOC)

Emission Factor: 0.00416 lb/ton (AP-42, Section 11.1, Table 11.1-14, 3/04,
see predictive equation at end of Inventory)

Calculations: $0.00416 \text{ lb/ton} * 160 \text{ ton/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 1.98 \text{ ton/yr}$

Asphalt Product Silo Filling

Process Rate: 160 ton/hr (Company Information)

Hours of Operation: 5950 hr/yr (Annual Capacity)

PM Emissions

Emission Factor: 0.00059 lb/ton (AP-42, Section 11.1, Table 11.1-14, 3/04,
see predictive equation at end of Inventory)

Calculations: $0.00059 \text{ lb/ton} * 160 \text{ ton/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 0.28 \text{ ton/yr}$

PM10 Emissions

Emission Factor: 0.00025 lb/ton (AP-42, Section 11.1, Table 11.1-14, 3/04,
see predictive equation at end of Inventory)

Calculations: $0.00025 \text{ lb/ton} * 160 \text{ ton/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 0.12 \text{ ton/yr}$

CO Emissions

Emission Factor: 0.00118 lb/ton (AP-42, Section 11.1, Table 11.1-14, 3/04,
see predictive equation at end of Inventory)

Calculations: $0.00118 \text{ lb/ton} * 160 \text{ ton/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 0.56 \text{ ton/yr}$

VOC Emissions (VOC = TOC)

Emission Factor: 0.01219 lb/ton (AP-42, Section 11.1, Table 11.1-14, 3/04,
see predictive equation at end of Inventory)

Calculations: $0.01219 \text{ lb/ton} * 160 \text{ ton/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 5.80 \text{ ton/yr}$

Cold Aggregate Screens and Storage Bins

Process Rate: 160 tons/hr (Company Information)

Number of Transfers: 6 Transfers (Assumed)

Hours of operation: 5950 hr/yr (Annual Capacity)

PM Emissions

Emission Factor: 0.0036 lbs/ton (AP-42, Section 11.19, Table 11.19.2-2,
Fines Screening, Controlled, 8/04)
Calculations: $0.0036 \text{ lbs/ton} * 160 \text{ tons/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} * 6 \text{ Transfers} = 10.28 \text{ ton/yr}$

PM10 Emissions:

Emission Factor: 0.0022 lbs/ton (AP-42, Section 11.19, Table 11.19.2-2,
Fines Screening, Controlled, 8/04)
Calculations: $0.0022 \text{ lbs/ton} * 160 \text{ tons/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} * 6 \text{ Transfers} = 6.28 \text{ ton/yr}$

Cold Aggregate Handling/Conveyors

Process Rate: 160 tons/hr (Company Information)
Number of Transfers: 6 Transfers (Assumed)
Hours of operation: 5950 hr/yr (Annual Capacity)

PM Emissions

Emission Factor: 0.003 lb/ton (AP-42, Section 11.19, Table 11.19.2-2,
Conveyor Transfer, Controlled, 8/04)
Calculations: $0.003 \text{ lb/ton} * 160 \text{ tons/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} * 6 \text{ Transfers} = 8.57 \text{ ton/yr}$

PM10 Emissions

Emission Factor: 0.0011 lb/ton (AP-42, Section 11.19, Table 11.19.2-2,
Conveyor Transfer, Controlled, 8/04)
Calculations: $0.0011 \text{ lb/ton} * 160 \text{ tons/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} * 6 \text{ Transfers} = 3.14 \text{ ton/yr}$

Cold Aggregate Storage Piles

Process Rate: 160 ton/hr (Company Information)
Number of Piles: 3 Piles (Assumed)
Hours of Operation: 5950 hr/yr (Annual Capacity)

PM Emissions

Emission Factor: 0.00331 lb/ton (AP-42, Section 13.2.4, Table 13.2.4.3,
see predictive emission factor equation at end of inventory, 11/06)
Calculations: $0.00331 \text{ lb/ton} * 160 \text{ ton/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} * 3 \text{ Piles} = 4.73 \text{ ton/yr}$

PM10 Emissions

Emission Factor: 0.00157 lb/ton (AP-42, Section 13.2.4, Table 13.2.4.3,
see predictive emission factor equation at end of inventory, 11/06)
Calculations: $0.00157 \text{ lb/ton} * 160 \text{ ton/hr} * 5950 \text{ hr/yr} * 0.0005 \text{ ton/lb} * 3 \text{ Piles} = 2.24 \text{ ton/yr}$

Diesel Generator (up to 45 hp)

Generator Size = 45.0 hp

Hours of Operation: 5950 hrs/yr

PM Emissions

Emission Factor: 0.0022 lbs/hp-hr (AP-42 Table 3.3-1, 7/95)
Calculations: $0.0022 \text{ lbs/hp-hr} * 45 \text{ hp} * 5950 \text{ hrs/yr} * 0.0005 \text{ ton/lb} = 0.29 \text{ ton/yr}$

PM-10 Emissions

Emission Factor: 0.0022 lbs/hp-hr (AP-42 Table 3.3-1, 10/96)
Calculations: $0.0022 \text{ lbs/hp-hr} * 45 \text{ hp} * 5950 \text{ hrs/yr} * 0.0005 \text{ ton/lb} = 0.29 \text{ ton/yr}$

NO_x Emissions
 Emission Factor 0.0310 lbs/hp-hr (AP-42 Table 3.3-1, 10/96)
 Calculations: $0.031 \text{ lbs/hp-hr} * 45 \text{ hp} * 5950 \text{ hrs/yr} * 0.0005 \text{ ton/lb} = 4.15 \text{ ton/yr}$

CO Emissions
 Emission Factor 0.00668 lbs/hp-hr (AP-42 Table 3.3-1, 10/96)
 Calculations: $0.00668 \text{ lbs/hp-hr} * 45 \text{ hp} * 5950 \text{ hrs/yr} * 0.0005 \text{ ton/lb} = 0.89 \text{ ton/yr}$

VOC Emissions
 Emission Factor 0.00247 lbs/hp-hr (AP-42 Table 3.3-1, 10/96)
 Calculations: $0.00247 \text{ lbs/hp-hr} * 45 \text{ hp} * 5950 \text{ hrs/yr} * 0.0005 \text{ ton/lb} = 0.33 \text{ ton/yr}$

SO_x Emissions
 Emission Factor 0.00205 lbs/hp-hr (AP-42 Table 3.3-1, 10/96)
 Calculations: $0.00205 \text{ lbs/hp-hr} * 45 \text{ hp} * 5950 \text{ hrs/yr} * 0.0005 \text{ ton/lb} = 0.27 \text{ ton/yr}$

Diesel Generator (up to 750 hp)

Generator Size: 750.0 hp
 Hours of Operation: 5950 hrs/yr

PM Emissions
 Emission Factor: 0.0022 lbs/hp-hr (AP-42 Table 3.3-1, 7/95)
 Calculations: $0.0022 \text{ lbs/hp-hr} * 750 \text{ hp} * 5950 \text{ hrs/yr} * 0.0005 \text{ ton/lb} = 4.91 \text{ ton/yr}$

PM-10 Emissions
 Emission Factor 0.0022 lbs/hp-hr (AP-42 Table 3.3-1, 10/96)
 Calculations: $0.0022 \text{ lbs/hp-hr} * 750 \text{ hp} * 5950 \text{ hrs/yr} * 0.0005 \text{ ton/lb} = 4.91 \text{ ton/yr}$

NO_x Emissions
 Emission Factor 0.0310 lbs/hp-hr (AP-42 Table 3.3-1, 10/96)
 Calculations: $0.031 \text{ lbs/hp-hr} * 750 \text{ hp} * 5950 \text{ hrs/yr} * 0.0005 \text{ ton/lb} = 69.17 \text{ ton/yr}$

CO Emissions
 Emission Factor 0.00668 lbs/hp-hr (AP-42 Table 3.3-1, 10/96)
 Calculations: $0.00668 \text{ lbs/hp-hr} * 750 \text{ hp} * 5950 \text{ hrs/yr} * 0.0005 \text{ ton/lb} = 14.90 \text{ ton/yr}$

VOC Emissions
 Emission Factor 0.00247 lbs/hp-hr (AP-42 Table 3.3-1, 10/96)
 Calculations: $0.00247 \text{ lbs/hp-hr} * 750 \text{ hp} * 5950 \text{ hrs/yr} * 0.0005 \text{ ton/lb} = 5.51 \text{ ton/yr}$

SO_x Emissions
 Emission Factor 0.00205 lbs/hp-hr (AP-42 Table 3.3-1, 10/96)
 Calculations: $0.00205 \text{ lbs/hp-hr} * 750 \text{ hp} * 5950 \text{ hrs/yr} * 0.0005 \text{ ton/lb} = 4.57 \text{ ton/yr}$

Haul Roads/Vehicle Traffic

Vehicle miles traveled: 5 VMT/day (Estimated)
 Days Per Year: 365 days/year
 Operation 16.3 hours/day

PM Emissions
 Emission Factor: 13.90 lb/VMT (AP-42, Section 13.2.2, Controlled Emissions, 12/03)

Calculation: $13.9 \text{ lb/VMT} * 5 \text{ VMT/day} * 365 \text{ days/year} * (10\text{hr}/24\text{hr}) * 0.0005 \text{ ton/lb} = 8.61 \text{ ton/yr}$

PM10 Emissions

Emission Factor: 3.95 lb/VMT (AP-42, Section 13.2.2, Controlled Emissions, 12/03)

Calculation: $3.95 \text{ lb/VMT} * 5 \text{ VMT/day} * 365 \text{ days/year} * (10 \text{ hrs}/24 \text{ hrs}) * 0.0005 \text{ ton/lb} = 2.45 \text{ ton/yr}$

PREDICTIVE EMISSION FACTOR DEVELOPMENT EQUATIONS

Drum or Batch Mix Asphalt Plant Load-Out Emission Factor Development
(AP-42, Section 11.1, Table 11.1-14, Plant Load-Out, 3/04)

PM Emission Factor

Emission Factor = $0.000181 + 0.00141(-V)e((0.0251(T + 460) - 20.43)) = 0.00052 \text{ lb/ton}$
Where: $V = -0.5$ (assume default value provided in AP-42)
 $T = 325 \text{ F}$ (assume default value provided in AP-42)

PM10 Emission Factor

Emission Factor = $0.00141(-V)e((0.0251(T + 460) - 20.43)) = 0.00034 \text{ lb/ton}$
Where: $V = -0.5$ (assume default value provided in AP-42)
 $T = 325 \text{ F}$ (assume default value provided in AP-42)

VOC Emission Factor (assume VOC = TOC)

Emission Factor = $0.0172(-V)e((0.0251(T + 460) - 20.43)) = 0.00416 \text{ lb/ton}$
Where: $V = -0.5$ (assume default value provided in AP-42)
 $T = 325 \text{ F}$ (assume default value provided in AP-42)

CO Emission Factor

Emission Factor = $0.00558(-V)e((0.0251(T + 460) - 20.43)) = 0.00135 \text{ lb/ton}$
Where: $V = -0.5$ (assume default value provided in AP-42)
 $T = 325 \text{ F}$ (assume default value provided in AP-42)

Asphalt Product Silo Filling

(AP-42, Section 11.1, Table 11.1-14, Silo Filling, 3/04)

PM Emission Factor

Emission Factor = $0.00032 + 0.00105(-V)e((0.0251(T + 460) - 20.43)) = 0.00059 \text{ lb/ton}$
Where: $V = -0.5$ (assume default value provided in AP-42)
 $T = 325 \text{ F}$ (assume default value provided in AP-42)

PM10 Emission Factor

Emission Factor = $0.00105(-V)e((0.0251(T + 460) - 20.43)) = .00025 \text{ lb/ton}$
Where: $V = -0.5$ (assume default value provided in AP-42)
 $T = 325 \text{ F}$ (assume default value provided in AP-42)

VOC Emission Factor (assume VOC = TOC)

Emission Factor = $0.0504(-V)e((0.0251(T + 460) - 20.43)) = 0.01219 \text{ lb/ton}$
Where: $V = -0.5$ (assume default value provided in AP-42)
 $T = 325 \text{ F}$ (assume default value provided in AP-42)

CO Emission Factor

Emission Factor = $0.00488(-V)e((0.0251(T + 460) - 20.43)) = 0.00118 \text{ lb/ton}$

Where: $V = -0.5$ (assume default value provided in AP-42)
 $T = 325 \text{ F}$ (assume default value provided in AP-42)

Cold Aggregate Storage Pile Fugitive Dust Emission Factor Development

PM Emission Factor

Emission Factor = $k(0.0032) ((U/5)^{1.3} / (M/2)^{1.4}) = 0.00331 \text{ lb/ton}$
Where: k = Particle Size Multiplier (dimensionless)
(assume $\text{PM} < 30 \text{ microns} = 0.74$)
 U = Mean Wind Speed (mph) (assume 10 mph)
 M = Material Moisture Content (percent) (assume 3.0%)

PM10 Emission Factor

Emission Factor = $k(0.0032) ((U/5)^{1.3} / (M/2)^{1.4}) = 0.00157 \text{ lb/ton}$
Where: k = Particle Size Multiplier (dimensionless)
(assume $\text{PM} < 10 \text{ microns} = 0.35$)
 U = Mean Wind Speed (mph) (assume 10 mph)
 M = Material Moisture Content (percent) (assume 3.0%)

IV. BACT Determination

A BACT determination is required for each new or altered source. Century shall install on the new or altered source the maximum air pollution control capability, which is technically practicable and economically feasible, except that BACT shall be utilized.

The current permit action is to modify the permit to add a diesel-powered engine as well as include the hp rating to Permit #3008-02. Because of the limited amount of emissions produced by the diesel engines and the lack of readily available, cost effective add-on controls; add-on controls would be cost prohibitive. Therefore, the Department determined that proper operation and maintenance with no additional controls would constitute BACT for the diesel engines.

V. Existing Air Quality and Impacts

Permit #3008-02 is issued for the operation of a portable hot mix asphalt plant to be originally located in the SW $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 17, Township 15 North, Range 18 East, in Fergus County, Montana. Permit #3008-02 will cover the plant while operating at any location within Montana, excluding those counties that have a Department approved permitting program. In the view of the Department, the amount of controlled emissions generated by this facility will not exceed any set ambient standard. In addition, this source is portable and any air quality impacts will be minimal.

VI. Taking or Damaging Implication Analysis

As required by 2-10-101 through 2-10-105, MCA, the Department conducted a private property taking and damaging assessment and determined that there are no taking or damaging implications.

YES	NO	
X		1. Does the action pertain to land or water management or environmental regulation affecting private real property or water rights?
	X	2. Does the action result in either a permanent or indefinite physical occupation of private property?
	X	3. Does the action deny a fundamental attribute of ownership? (ex.: right to exclude others, disposal of property)
	X	4. Does the action deprive the owner of all economically viable uses of the property?
	X	5. Does the action require a property owner to dedicate a portion of property or to grant an easement? [If no, go to (6)].
		5a. Is there a reasonable, specific connection between the government requirement and legitimate state interests?
		5b. Is the government requirement roughly proportional to the impact of the proposed use of the property?
	X	6. Does the action have a severe impact on the value of the property? (consider economic impact, investment-backed expectations, character of government action)
	X	7. Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public generally?
	X	7a. Is the impact of government action direct, peculiar, and significant?
	X	7b. Has government action resulted in the property becoming practically inaccessible, waterlogged or flooded?
	X	7c. Has government action lowered property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?
	X	Takings or damaging implications? (Taking or damaging implications exist if YES is checked in response to question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if NO is checked in response to questions 5a or 5b; the shaded areas)

VII. Environmental Assessment

An environmental assessment, required by the Montana Environmental Policy Act, was completed for this project. A copy is attached.

DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting and Compliance Division
Air and Waste Management Bureau
1520 East 6th Avenue
P.O. Box 200901
Helena, Montana 59620-0901
(406) 444-3490

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued To: Century Companies, Inc.
P.O. Box 579
Lewistown, MT 59457

Air Quality Permit Number: 3008-02

Preliminary Determination Issued: November 18, 2008

Department Decision Issued: December 23, 2008

Permit Final:

1. *Legal Description of Site:* The asphalt plant would initially operate at the SW¼, SE¼ of Section 17, Township 15 North, Range 18 East, in Fergus County, Montana. However, Permit #3008-02 would also apply while operating at any location in Montana, except within those areas having a Department approved permitting program or those areas in or within 10 km of certain PM₁₀ nonattainment areas. A Missoula County air quality permit would be required for locations within Missoula County, Montana.
2. *Description of Project:* Century submitted a complete permit application to add a 45 hp engine/generator to the list of permitted equipment and to include the hp rating of the engines/generators.
3. *Objectives of Project:* The objective of this permitting action would be for Century to update the equipment inventory of their existing plant. The issuance of Permit #3008-02 would allow Century to operate the permitted engine at various locations throughout Montana, including the current location.
4. *Alternatives Considered:* In addition to the proposed action, the Department also considered the “no-action” alternative. The “no-action” alternative would deny issuance of the Montana Air Quality permit to the proposed facility. However, the Department does not consider the “no-action” alternative to be appropriate because Century has demonstrated compliance with all applicable rules and regulations as required for permit issuance. Therefore, the “no-action” alternative was eliminated from further consideration.
5. *A Listing of Mitigation, Stipulations, and Other Controls:* A list of enforceable conditions, including a BACT determination, would be included in Permit #3008-02.
6. *Regulatory Effects on Private Property:* The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined that the permit conditions would be reasonably necessary to ensure compliance with applicable requirements and demonstrate compliance with those requirements and would not unduly restrict private property rights.
7. The following table summarizes the potential physical and biological effects of the proposed

project on the human environment. The “no-action” alternative was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments
A	Terrestrial and Aquatic Life and Habitats			X			Yes
B	Water Quality, Quantity, and Distribution			X			Yes
C	Geology and Soil Quality, Stability and Moisture			X			Yes
D	Vegetation Cover, Quantity, and Quality			X			Yes
E	Aesthetics			X			Yes
F	Air Quality			X			Yes
G	Unique Endangered, Fragile, or Limited Environmental Resources				X		Yes
H	Demands on Environmental Resource of Water, Air and Energy			X			Yes
I	Historical and Archaeological Sites				X		Yes
J	Cumulative and Secondary Impacts			X			Yes

SUMMARY OF COMMENTS ON POTENTIAL PHYSICAL AND BIOLOGICAL EFFECTS: The following comments have been prepared by the Department.

A. Terrestrial and Aquatic Life and Habitats

There is a possibility that terrestrials would use the same area as the project. Impacts on terrestrial and aquatic life could result from storm water runoff and pollutant deposition, but such impacts would be minor because the diesel-powered engine/generator would be considered a minor source of emissions, and would have intermittent and seasonal operations. Furthermore, the air emissions would have only minor effects on terrestrial and aquatic life because facility emissions would be well dispersed in the area of operation (see Section 8.F of this EA). Therefore, only minor and temporary effects to terrestrial and aquatic life and habitat would be expected from the engine’s operation.

B. Water Quality, Quantity and Distribution

Due to the fact that there is no change in operation to this existing asphalt plant the proposed change would not result in an increase in water consumption. Any pollutant deposition in the area would be seasonal and intermittent given the portable nature of the engine. There would be no additional impacts to water resources and therefore, no surface and groundwater quality impacts would be expected.

C. Geology and Soil Quality, Stability and Moisture

There would be no impacts to the geology and soil quality, stability, and moisture near the equipment's operational area because the proposed permit change does not result in a change in operations. As explained in Section 7.F. of this EA, the facility's size, operational requirements, temporary nature of the operation, and conditions placed in Permit #3008-02 would minimize the impacts from deposition. In addition, the generator would be relatively small in size and located at previously disturbed sites, which would also reduce the potential impact to the local geology and soil quality, stability, and moisture.

D. Vegetation Cover, Quantity, and Quality

Because small amounts of pollutant deposition would occur on the surrounding vegetation, there would be minor impacts on the local vegetative cover, quantity, and quality. The generator would also be relatively small in size and located at previously disturbed sites. As explained in Section 7.F. of this EA, the Department determined that, as a result of the size and temporary nature of the operation and conditions placed in Permit #3008-02, any impacts on vegetative cover, quantity, and quality from the deposition of pollutants would be minor.

E. Aesthetics

The proposed permit action would not result in additional noise in the area of operation since the proposed action does not result in a change of operation. Permit #3008-02 would include conditions to control emissions, including visible emissions, from the plant generator. The generator would be relatively small and temporary and would be used to power the portable asphalt facility at previously disturbed sites. Therefore, any aesthetic impact to a given area would be minor and temporary.

F. Air Quality

The air quality emission impacts from the diesel generator would be minor because Permit #3008-02 would include conditions limiting the visible emissions (or opacity) from the equipment. In addition, the facility's potential emissions would be limited by Permit #3008-02 to less than 100 tons per year for any pollutant, resulting in the facility not requiring a Title V Operating Permit. Because of the size and temporary nature of the operation and conditions placed in Permit #3008-02, impacts from the deposition of pollutants would be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The Department, in an effort to assess any potential impacts, previously contacted the Montana Natural Heritage Program (MNHP) to identify any species of special concern associated with the proposed site location. Search results indicated that there are no such environmental resources in the area. Area, in this case, is defined by the township and range of the proposed site, with an additional one-mile buffer. The initial location has been identified by Century as the SW $\frac{1}{4}$, of the SE $\frac{1}{4}$, of Section 17, Township 15 North, Range 18 East, in Fergus County, Montana. The proposed project would have no impact on any unique endangered, fragile, or limited environmental resources because there are no such resources in the area.

H. Demands on Environmental Resource of Water, Air, and Energy

The proposed action would not result in any additional demands on water, air, and energy. While small amounts of water would be used for dust control on the surrounding roadways and job site, no water would be needed to operate the generator.

Furthermore, as described in Section 7.F. of this EA, pollutant emissions generated from the facility would have minimal impacts on air quality in the immediate and surrounding area. Energy would be generated from the use of the new generator, so no other sources of power would be necessary to operate the facility. The generators would consume energy in the form of diesel fuel, a non-renewable resource. Overall, the equipment is relatively small and would have operational restrictions placed in Permit #3008-02. Because the facility operations would be seasonal and temporary, demands and impacts to the environmental resource of air and energy would be minor.

I. Historical and Archaeological Sites

The Department previously contacted the Montana Historical Society - State Historical Preservation Office (SHPO) in an effort to identify any historical and/or archaeological sites that may be present in the proposed area of construction/operation. According to the response from SHPO, there are no previously recorded historical or archeological sites within the designated search locale. Additionally, the generator would be located within a previously disturbed industrial site typically used for portable asphalt operations. According to past correspondence from the Montana State Historic Preservation Office, there is low likelihood of adverse disturbance to any archaeological or historic site, given previous industrial disturbance within an area. Therefore, the operation of the generator would not impact on any known historical or archeological sites.

J. Cumulative and Secondary Impacts

The portable diesel engine/generator would cause minor impacts on the physical and biological environment because the generator would result in emissions of PM, PM₁₀, NO_x, VOCs, CO, and SO_x. As a result of the temporary or seasonal nature of the facility and conditions and limitations contained within Permit #3008-02, impacts would be minimized. There is potential for other operations to locate at this site; however, any operations would have to apply for and receive the appropriate permits from the Department prior to operation. These permits would address the environmental impacts associated with the operations at the site.

8. The following table summarizes the potential economic and social effects of the proposed project on the human environment. The “no-action” alternative was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments
A	Social Structures and Mores				X		Yes
B	Cultural Uniqueness and Diversity				X		Yes
C	Local and State Tax Base and Tax Revenue			X			Yes
D	Agricultural or Industrial Production			X			Yes
E	Human Health			X			Yes
F	Access to and Quality of Recreational and Wilderness Activities			X			Yes
G	Quantity and Distribution of Employment				X		Yes
H	Distribution of Population				X		Yes
I	Demands for Government Services				X		Yes
J	Industrial and Commercial Activity			X			Yes
K	Locally Adopted Environmental Plans and Goals				X		Yes
L	Cumulative and Secondary Impacts			X			Yes

SUMMARY OF COMMENTS ON POTENTIAL ECONOMIC AND SOCIAL EFFECTS: The following comments have been prepared by the Department.

A. Social Structures and Mores

The operation of the portable diesel generator would not alter or disrupt any local lifestyles or communities (social structures or mores) in the area of operation because the generator is not new to the facility and would be relatively small, would operate intermittently, and would be used with the existing permitted equipment at a previously disturbed site. Therefore, the existing social structures and mores would not be affected as a result of this permit action.

B. Cultural Uniqueness and Diversity

In the view of the Department, the portable engine/generator would not have any impact on the cultural uniqueness and diversity of the proposed area of operation because the proposed action does not result in a change of operations for the facility and operations would be temporary and would take place in a previously disturbed industrial area.

C. Local and State Tax Base and Tax Revenue

The proposed action would have little or no impact on the local and state tax base and tax revenue. The facility would be a temporary and seasonal source and would not remain at a site for an extended period of time. No full time or permanent employees would be added as a result of issuing Permit #3008-02. Furthermore, any revenue created through the use of the generator would be for a relatively short time period.

D. Agricultural or Industrial Production

The portable generator would be used at previously disturbed industrial areas; therefore, the Department does not expect that the permitted operation would impact or displace agricultural production. Furthermore, only minor impacts on any local industrial production would be expected because the operation of the facility (and generator) would be temporary and would be relatively small in size.

E. Human Health

Permit #3008-02 would incorporate conditions to ensure that the generator operations would be operated in compliance with all applicable air quality rules and standards. These rules and standards are designed to be protective of human health. As described in Section 7.F. of this EA, the air emissions from this generator would be minimized opacity limitations established in Permit #3008-02. Therefore, any associated impacts to human health would be minor.

F. Access to and Quality of Recreational and Wilderness Activities

This facility would be located on previously disturbed property and would not impact access to recreational and wilderness activities. However, minor impact on the quality of recreational activities might be created by the noise from the generator. Emissions from this generator would be minimized as a result of limitations placed in Permit #3008-02 and the temporary and portable nature of the operation

G. Quantity and Distribution of Employment

As a result of the relatively small size and temporary nature of the operation, the quantity and distribution of employment in the area would not be impacted. No full time, permanent employees would be employed as a result of issuing Permit #3008-02.

H. Distribution of Population

Given the relatively small size and portable nature of the operation and the surrounding land usage, the normal population distribution in the area would not be affected.

I. Demands for Government Services

Although minor increases would be observed in the local traffic on existing roads in the area where the facility operates, the addition proposed action does not result in a change to existing operations and would not result in a need for new, altered, or additional government services.

J. Industrial and Commercial Activity

The operation of the generator would represent only a minor increase in the industrial activity in any given area because of the small size and the portable and temporary nature of the facility; therefore, only minor additional industrial or commercial activity would result from the generator operations.

K. Locally Adopted Environmental Plans and Goals

The Department is not aware of any locally adopted environmental plans and goals that would be affected by issuing this permit. The applicable state and federal standards would protect the environment surrounding the site.

L. Cumulative and Secondary Impacts

The engine/generator would cause only minor cumulative and secondary impacts to the social and economic aspects of the human environment because of the potential air emissions from the generator and increase in local traffic in the immediate area. Further, because the asphalt production facility is relatively small and operates temporarily, only minor social and economic impacts to the local economy could be expected from the operation of the facility. New businesses would not be drawn to any areas and permanent jobs would not be created or lost as a result of the proposed project. Because no new employees would be hired, there would be no economic impacts from new employees. Thus, the operation of the engine/generator would result in only minor cumulative and secondary impacts would result to the social and economic environment.

Recommendation: No Environmental Impact Statement (EIS) is required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: All potential effects resulting from the proposed project are minor; therefore, an EIS is not required. Since the operation of the diesel generator would be seasonal and temporary and operate according to the limitations and conditions in Permit #3008-02, no significant impacts would be expected from this project. Permit #3008-02 includes conditions and limitations to safeguard any potential environmental threat created by the proposed project.

Other groups or agencies contacted or which may have overlapping jurisdiction: Department of Environmental Quality - Permitting and Compliance Division (Air Resources Management Bureau and Industrial and Energy Minerals Bureau); Montana Natural Heritage Program; and the State Historic Preservation Office (Montana Historical Society).

Individuals or groups contributing to this EA: Department of Environmental Quality (Air Resources Management Bureau and Industrial and Energy Minerals Bureau); Montana Natural Heritage Program; and the State Historic Preservation Office (Montana Historical Society).

EA prepared by: Trista Glazier
Date: October 28, 2008